



## U.S. Department of Justice

Application granted.

The time to submit the materials due on April 6, 2022 is extended to and including April 8, 2022. No further extensions will be granted and trial will not be adjourned.

The Clerk of the Court is respectfully directed to terminate the motion sequence pending at Doc. 42.

SO ORDERED.

Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
April 4, 2022

United States Attorney  
Southern District of New York

United States District Courthouse  
300 Quarropas Street  
White Plains, New York 10601

April 3, 2022

**Re: *United States v. Darren Smith, 20 Cr. 519 (PMH)***

Dear Judge Halpern:

The Government respectfully submits this letter on behalf of the parties to jointly request extension of the April 6, 2022 deadlines set forth in the Court's revised pretrial scheduling order, dated March 24, 2022 (ECF No. 39), to April 8, 2022. Those deadlines include the following:

- Disclosure of Rule 404(b) evidence (if any);<sup>1</sup>
- Joint proposed *voir dire* and requests to charge;
- Motions *in limine*;
- 3500 material and *Giglio* material; and
- Marked government case-in-chief exhibits.

As the Court is aware, the revised pretrial scheduling order was issued in connection with the conference before the Court on March 23, 2022, and the appointment of Lance Clarke, Esq. as new counsel for the defendant. In the colloquy at the March 23 conference, the parties and the Court discussed a two-week extension of the then-pretrial deadlines to allow for new counsel to begin to review discovery and prepare accordingly. The resulting schedule set by the Court, however, moved the then-March 25 deadline for Rule 404(b), *voir dire*, and requests-to-charge to April 6, and moved the then-April 1 deadline for motions *in limine*, 3500 and *Giglio* material, and Government exhibits also to April 6.

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<sup>1</sup> The Government has informed the defense that it does not intend to offer any Rule 404(b) evidence.

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Certain of the above items due on April 6 require the parties to meet and confer. An extension of the April 6 deadlines to April 8 would permit the parties additional time needed to do so this week in light of scheduling conflicts.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

by: /s/ Kevin T. Sullivan  
Shiva Logarajah / Kevin Sullivan  
Assistant United States Attorneys  
914-993-1918 / 914-993-1924

cc: Lance A. Clarke, Esq. (via ECF/E-Mail)